



487169

1 In re:

2  
3 INTERVIEWS OF IWD DRIVERS

4  
5 \* \* \*

6 Sworn statement of GARY B. ABNER, Witness  
7 herein, called by Waste Management of North America,  
8 Inc. for examination pursuant to the Rules of Civil  
9 Procedure, taken before me, Caryl L. Blevins, a Notary  
10 Public in and for the State of Ohio, at the offices of  
11 Industrial Waste Disposal, 3975 Wagner-Ford Road,  
12 Dayton, Ohio, on Monday, the 1st day of March, 1993,  
13 at 12:44 o'clock p.m.

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## 1 APPEARANCES:

2 On behalf of Waste Management of North America,  
3 Inc.:4 By: Robert E. Leininger  
5 Attorney at Law  
6 Mideast Region  
7 17250 Newburgh Road  
8 Livonia, Michigan 48152

## 9 ALSO PRESENT:

10 Meg Briarton  
11 Paralegal

12 \* \* \*

23  
24  
25

1                   GARY B. ABNER  
2 of lawful age, Witness herein, having been first duly  
3 cautioned and sworn, as hereinafter certified, was  
4 examined and said as follows:

5                   EXAMINATION

6 BY-MR. LEININGER:

7           Q. Would you please state your name?

8           A. Gary B. Abner, A B N E R.

9           Q. How old are you?

10          A. Forty-six.

11          Q. And what is your address?

12          A. 125 South Old Mill Road. That's in Union,  
13 Ohio 45322.

14          Q. I know that when we took your statement for  
15 the Cardington Road folks, you gave us some  
16 information. If you could just -- if you don't mind  
17 repeating that about some of your employment history,  
18 I think you had indicated you had started working for  
19 IWD in September of '74; is that true?

20          A. Yes, uh-hum.

21          Q. And you started out doing front end load  
22 work, was it?

23          A. Front load work, uh-hum.

24          Q. And could you recall the route number you  
25 had by any chance?

1 MS. BRIARTON: Would that help  
2 (indicating)?

3 THE WITNESS: It was called route two  
4 nine helper route.

5 BY MR. LEININGER:

6 Q. Route two nine helper route?

7 A. Yes. Because I was a helper on that  
8 route.

9 Q. Okay. Where was that? What was the  
10 general geographic area that that covered?

11 A. Dayton, Kettering. That was about it.

12 Q. And was that the first route you actually  
13 worked on the front end?

14 A. Uh-hum.

15 Q. How long were you on that route?

16 A. About six weeks.

17 Q. About six weeks?

18 A. Uh-hum.

19 Q. After that, they transferred you to which  
20 route, if you can recall?

21 A. I don't remember what route it was  
22 number-wise.

23 Q. What geographic area was it?

24 A. I picked up Kettering Schools. There was  
25 some stuff over in Trotwood. I went up into Vandalia.

1 Q. Anything in Centerville?

2 A. No.

3 Q. Was the route that you were assigned to  
4 after the first six weeks of working for IWD, was that  
5 the route that you ended up having throughout your  
6 employment history as a driver?

7 A. No. I was on that route probably --  
8 probably six months, somewhere around there.

9 Q. Oh, okay. And then you were transferred  
10 to --

11 A. I didn't get transferred. I was bumped.

12 Q. Oh, okay.

13 A. I believe I went to roll-off from that.

14 Q. Okay.

15 A. At that time we were -- they had a bid  
16 system to where every six months drivers could  
17 actually bid on the job they wanted to do. Seniority  
18 prevailed.

19 Q. Sure. How long were you on roll-off after  
20 you got bumped, if you can recall?

21 A. I don't remember for sure, because I was a  
22 relief. I was real low on the totem pole.

23 Q. You are currently an account specialist in  
24 sales?

25 A. Uh-hum, yes.

1           Q. And you started doing that around '83, '84,  
2 about ten years ago, was it?

3           A. I started in operations around '83.

4           Q. What was your position when you started in  
5 operations in '83?

6           A. Auditor.

7           Q. Auditor?

8           A. Route auditor.

9           Q. So you were a driver from -- let's see. If  
10 you started in September of '74, did you drive all the  
11 way up through till around '83?

12          A. Yes.

13          Q. Other than those areas that we had just  
14 discussed, can you recall any specific area that you  
15 predominantly worked in?

16          A. Everywhere.

17          Q. All around the Dayton area?

18          A. Yeah.

19          Q. Was that primarily as a front end driver or  
20 a roll-off or --

21          A. Well, it would vary, because being --

22          Q. Were you relief during most of that time?

23          A. Relief, yes.

24          Q. Oh, I see. What does that actually mean?

25          A. Relief is something to where if somebody

1 doesn't show up or they're overloaded in one area,  
2 they'll put you over there. You have a regular job,  
3 like you might be an assigned roll-off driver, but yet  
4 at the same time, if they need help someplace else,  
5 you know, you go over there and help. You might run  
6 lugger, you might have went out and helped somebody  
7 finish up a route where the truck was broken down,  
8 just general relief.

9 Q. Are you familiar with the Valleycrest  
10 landfill? Have you ever heard of it?

11 A. The one on Valley Street?

12 Q. Yes.

13 A. Yes.

14 Q. Do you recall ever having hauled there,  
15 dumped there?

16 A. The best I can recollect, I was probably in  
17 Valleycrest two, maybe three times, and that was when  
18 I was a helper on the route -- on the two nine route.

19 Q. Do you have any recollection whatever as to  
20 what customers you hauled in there or you picked up  
21 that went in there?

22 A. Just to name a customer for sure would  
23 probably have been NCR, you know. We hauled, you  
24 know, like paper, cardboard, general trash. That  
25 would be, you know, picked up there in the evening.

1           Other than that, the customer just kind  
2 of -- you know, I couldn't say, well, I remember this  
3 one other than I do remember we went in there because  
4 that was the main purpose of the helper, you know.  
5 You worked up on the dock and you turned the  
6 containers around and got them ready; he would back up  
7 and dump them.

8           Q. Sure. At least as far as NCR's concerned,  
9 you do remember them?

10          A. Yes, uh-hum.

11          Q. It wasn't too long after '74 that  
12 Valleycrest actually closed down.

13          A. It wasn't very long after that.

14          Q. Right. Do you recall, what was the other  
15 landfill that you used, or once Valleycrest closed  
16 down, what landfill did you use?

17          A. Probably the incinerators.

18          Q. Okay.

19          A. And probably Cardington Road. It's been so  
20 long.

21          Q. Do you recall ever having helped or driven  
22 to the Powell Road landfill?

23          A. I've been in Powell Road a few times.

24          Q. You say only a few times, not very often?

25          A. Total, twenty-five, maybe thirty times.



1           Q. Do you recall what customers may have gone  
2 into Powell Road?

3           A. Not one particular customer. You know, it  
4 was just construction debris, you know, that we would  
5 take in there.

6           Q. Would it be fair to say that your driving  
7 was primarily into Cardington Road --

8           A. Yes.

9           Q. -- and the incinerator?

10          A. Uh-hum, yes.

11          Q. Do you recall ever having taken waste to  
12 Tremont in Springfield?

13          A. As a driver?

14          Q. Yes.

15          A. I don't think I was ever in Tremont  
16 landfill under the state of a driver. I have taken  
17 some trash into Tremont as an operations person  
18 driving, you know, but when I was doing driving  
19 full-time, no, I didn't go to Tremont.

20          Q. Okay. Well, there are about seven or eight  
21 little sites or relatively minor sites that have come  
22 up during the course of our discussions with  
23 employees, and so we can avoid having to do these in  
24 sessions on a periodic basis, I'm trying to, you know,  
25 get them through.

1           It takes an extra few minutes with every  
2 person, so let's just start with Tremont. You had  
3 indicated that when you were in ops, sometimes you  
4 would go out there. Would you just go with the  
5 driver?

6           A. No. We would be short-handed.

7           Q. Oh, I see.

8           A. And what it was, operations in Springfield  
9 was a lot different than here. You had an operations  
10 supervisor and a maintenance supervisor and a certain  
11 amount of drivers, but when you would get  
12 short-handed, there was nobody to call on so you would  
13 change your clothes and go do what you had been taught  
14 to do.

15          Q. Sure. Okay. And do you recall, how often  
16 would you have done that? That would have been after  
17 you went into operations after '83?

18          A. Uh-hum, yes.

19          Q. Okay.

20          A. Probably ten times.

21          Q. Okay. Do you recall anything specific  
22 about that at all?

23          A. As far as where the loads came from?

24          Q. Yes.

25          A. Well, when they were building a new Meijer

1 Square, we hauled some construction debris in there.  
2 That was, you know, a hot one to deal with, and you  
3 had to, you know, pretty much -- hour response time,  
4 you know, so you would go up there and get a  
5 construction debris load. Probably took four or five,  
6 maybe six loads out of Navistar, the assembly plant in  
7 there.

8 Q. That construction project you said was a  
9 hot one to deal with, not because of the type of  
10 waste, just because they were under time constraints?

11 A. Yes, the amount of time that you had to  
12 respond there.

13 Q. Okay.

14 A. Yeah. I know what you mean by hot.

15 Q. Navistar, do you remember what kind of  
16 waste?

17 A. It was just off of the packer, you know,  
18 just a general paper, you know, type waste. There was  
19 nothing special about it. It was stuff that we, you  
20 know, still put in there till -- you know, as of  
21 today.

22 Q. Just regular industrial-type trash?

23 A. Yeah. Cardboard trash out of lunchrooms.  
24 You could tell that basically that was about what it  
25 was.

1 Q. Anybody else into Tremont that just comes  
2 to your mind?

3 A. As far as a customer?

4 Q. Yes.

5 A. Well, one time I went and pulled Paygro in  
6 South Charleston. I remember that.

7 Q. Paper out of South Charleston?

8 A. No. Paygro. That's the name of the  
9 company. Paygro, P A Y G R O.

10 Q. Oh, okay. Paygro?

11 A. Paygro, yeah.

12 Q. Sounds like a Mexican name, right? Pedro.

13 MS. BRIARTON: That's what I was  
14 thinking.

15 BY MR. LEININGER:

16 Q. All right. You said just paper, things  
17 like that?

18 A. Uh-hum.

19 Q. How about out of Dorothy Lane -- into  
20 Dorothy Lane? Did you ever use Dorothy Lane?

21 A. That's a new one to me.

22 Q. Okay. Black Clawson?

23 A. That's a new one.

24 MS. BRIARTON: In Franklin? It's in  
25 Franklin.

1 THE WITNESS: No. I never went in that  
2 landfill.

3 BY MR. LEININGER:

4 Q. Okay. How about the hard fill in Hilltop,  
5 the Hilltop?

6 MS. BRIARTON: It's number four  
7 (indicating).

8 THE WITNESS: No. Never did go into  
9 Hilltop.

10 BY MR. LEININGER:

11 Q. Okay. Two other ones. Fiori Mills? Oh,  
12 that was a recycling plant.

13 A. That's recycling.

14 Q. And Vance Road?

15 A. No. I've never been into Vance Road.

16 Q. Okay. If you can think of the different  
17 customers, do you recall anybody that had ash or dust  
18 or powders, anything like that?

19 A. That would have went where?

20 Q. Anywhere, just to --

21 A. Oh, when you were asking -- or the last  
22 time I was in, you were asking about --

23 Q. I think they had mentioned Bergstrom Paper  
24 was ash?

25 A. Yes, Bergstrom Paper, uh-hum.

1 Q. Did that all go into Cardington, or did  
2 some of that go into Valleycrest?

3 A. That's the only place I ever took it to. I  
4 don't know if it went to Valleycrest or not.

5 Q. Bergstrom you only took to Cardington Road?

6 A. Uh-hum.

7 Q. Other than Bergstrom, no ash, dust, powder  
8 comes to mind?

9 A. Well, there was Delco fly ash.

10 Q. Okay. Do you know where that went? Do you  
11 recall?

12 A. Cardington Road.

13 Q. Oh, it did go to Cardington? Oil, gross  
14 solvents?

15 A. No.

16 Q. Any liquids, you know, like sloshing around  
17 in the container or anything like that, the bottom?

18 A. Dayton Tire & Rubber, we pulled some  
19 luggers out of there, lugger loads.

20 Q. Did that also go to Cardington or --

21 A. Uh-hum. Yes.

22 Q. Can you remember anybody specifically into  
23 Powell?

24 A. Powell Road --

25 Q. As you know, that's more toward the north

1 end.

2 A. Yeah. Cargill.

3 Q. Cargill?

4 A. Took some stuff out of Cargill there,  
5 because a box blew out of the truck one time. I got a  
6 citation. I remember that. That was -- what else  
7 went into Powell Road was just construction loads, you  
8 know. I don't remember where, what the names of the  
9 customers were, you know.

10 Q. Primarily what you would have hauled into  
11 Powell would have been construction, demolition, that  
12 type of hard fill type of stuff?

13 A. Yeah. There was sometimes, though, when I  
14 would run front load, we would take, you know, just  
15 general trash in there from like apartments,  
16 restaurants, you know, depending if the route was in  
17 the north end of town.

18 Q. Do you know who some of the other haulers  
19 were into Powell Road by any chance?

20 A. Laidlaw, N & N and some local  
21 independents. I don't remember the names.

22 Q. How about into Valleycrest? Any idea?

23 A. I never did see anybody in Valleycrest  
24 other than us, because we -- it was usually late when  
25 we would go in there. Never did see anybody else.

1 Q. Was Valleycrest open to other haulers?

2 A. I don't know.

3 Q. I have a long list of customers, and it  
4 appears from your relatively short duration as a  
5 driver that several may not be ones that you hauled,  
6 so let's kind of quickly go through, and if you  
7 remember them, that's fine. If not, you know, just  
8 sort of a yes or no.

9 A. Okay.

10 Q. You had already indicated Delco that you  
11 hauled into Cardington, but you couldn't recall  
12 hauling them to anywhere else.

13 A. Yes.

14 Q. GM/Inland, any --

15 MS. BRIARTON: Harrison Radiator and --

16 THE WITNESS: Now, Inland, are you  
17 talking about Inland west?

18 BY MR. LEININGER:

19 Q. Any Inland division of GM.

20 A. Yes. There was one, it was on the west  
21 side of Dayton. We would do relief for them when one  
22 of their trucks would break down and take some loads  
23 out of there into Cardington.

24 Q. Into Cardington?

25 A. Uh-hum.



1 Q. Okay. Frigidaire?

2 A. I don't recollect ever working in  
3 Frigidaire.

4 Q. Okay. Monarch Marking?

5 A. Yes, Monarch, I remember that.

6 Q. Cardington? Anything else?

7 A. Went to Cardington Road.

8 Q. Not Powell Road or Valleycrest?

9 A. No.

10 Q. Presto Adhesives?

11 A. Presto, yes.

12 Q. Cardington?

13 A. Cardington Road.

14 Q. Anything else? Any other landfill?

15 A. No.

16 Q. Karolton Envelope or Karolton Paper?

17 A. Is that in Franklin?

18 Q. I don't know.

19 A. I don't know.

20 Q. We've got Bergstrom Paper you talked about?

21 A. Uh-hum.

22 Q. Monarch Molders?

23 A. No.

24 Q. Did you ever pull anything out of  
25 Wright-Patterson Air Force Base?

1           A. They had a cardboard load that went to  
2 Fiori Mills. I think it was called Fiori Mills, yes.

3           Q. Builders Insulation?

4           A. That doesn't sound familiar.

5           Q. I think you did mention having pulled for  
6 NCR, and you thought that some of the material went  
7 into Powell Road --

8           A. Yes.

9           Q. -- when you were a helper.

10          A. No. It went into Valleycrest.

11          Q. Oh, I'm sorry. Valleycrest. That's  
12 right.

13          A. Uh-hum.

14          Q. Anything other than just, you know, pretty  
15 much industrial trash from NCR that you recall?

16          A. The thing with NCR was that I was a helper,  
17 so it was all front load work, and like they had  
18 building twenty-nine, which had a lot of front loads,  
19 you know. It just looked like general trash to me,  
20 you know, paper, cardboard, some plastic wrapping,  
21 maybe wood skids, some type of steel banding, you  
22 know. Nothing out of the ordinary as far as trash.

23          Q. Dayton Power & Light?

24          A. Probably put some of that Dayton Power &  
25 Light stuff in Cardington.

1           Q. You had indicated Specialty Paper went into  
2 Cardington.

3           A. Uh-hum.

4           Q. Since you have already given all that  
5 information already, we won't -- whenever you say  
6 Cardington, I'm not going to ask you what it was or  
7 anything like that.

8           A. Yeah. Okay.

9           Q. But obviously if it went into any other  
10 landfill, you know, this customer's waste, we would  
11 always like to know if that's true. Enterprise  
12 Roofing?

13          A. Cardington Road.

14          Q. Mendenhall Carpeting?

15          A. Never hauled Mendenhall.

16          Q. Moraine Materials?

17          A. No, never hauled Moraine.

18          Q. Okay. DAP caulking?

19          A. DAP would have went to Cardington Road.

20          Q. Okay. Do you ever recall hauling DAP up to  
21 Powell or over to Valleycrest there?

22          A. No.

23          Q. St. Regis Paper?

24          A. St. Regis and Gummed Products, I know I  
25 hauled Gummed Products, but it would have went to

1 Miami County. St. Regis, I'm not sure if I ever  
2 pulled that under St. Regis unless it was something  
3 else.

4 Q. Dayton Drum?

5 A. Dayton Drum had a front load box, and that  
6 would have went probably to the incinerator. GH&R  
7 Foundry?

8 Q. Uh-hum.

9 A. I've been into GH&R and pulled a packer,  
10 but I don't remember where it went to.

11 Q. Duriron?

12 A. Duriron, yeah -- yes, uh-hum.

13 Q. Anything other than Cardington?

14 A. No. That was the only place I remember.

15 Q. Hewitt Soap?

16 A. Cardington.

17 Q. Megacity Warehouse?

18 A. Don't think I ever hauled them.

19 Q. Miami Paper?

20 A. Cardington Road.

21 Q. But again, nothing else other than --

22 A. (Witness shaking head from side to side.)

23 Q. Okay. Ohio Bell?

24 A. Probably pulled some Ohio Bells, but I  
25 don't remember, you know, exactly where.

1 Q. Phillips Industries?

2 A. Don't think I ever pulled anything out of  
3 Phillips Industries.

4 Q. Sherwin-Williams?

5 A. No. Never pulled anything out of  
6 Sherwin-Williams.

7 Q. Standard Register?

8 A. (No response.)

9 Q. They had loads of stuff like carbon paper  
10 and lamp black and stuff like that, from what other  
11 people have indicated.

12 A. I probably was in there at one time or  
13 another.

14 Q. But you don't recall specifically?

15 A. Huh-um.

16 Q. Okay. That's fine. We're only asking you  
17 to remember what you can. I know it's tough. Inmont  
18 Paper?

19 A. No.

20 Q. Systech Corp.?

21 A. No.

22 Q. Tricil Environmental?

23 A. No.

24 Q. Premier Corporation, Premier Rubber?

25 A. Uh-hum, yes. Pulled some loads out of

1 there, and it probably went to Cardington Road. I  
2 don't remember ever taking anything into --

3 Q. Powell?

4 A. -- Powell or Valleycrest.

5 Q. Cargill?

6 A. Yes. Powell Road, Cardington Road.

7 Q. You had indicated Cargill, some kind of  
8 corn?

9 A. No.

10 Q. Oh.

11 A. I don't remember what was in there for  
12 sure, just probably, like you're saying, maybe some  
13 corn, paper, you know.

14 Q. Automotive Warehouse?

15 A. Yes. Pulled a compactor out of there a few  
16 times and some front loads.

17 Q. Over to -- took it to --

18 A. Where it went, I don't remember.

19 Q. Okay. King Iron or King Aluminum?

20 A. No.

21 Q. Base Materials?

22 A. No.

23 Q. U.S. Corrugated?

24 A. The name sounds familiar, but I don't  
25 remember ever pulling anything out of there.

1 Q. Okay. Gateway Erectors?

2 A. No.

3 Q. Ryan Homes?

4 A. Probably some construction debris. Could  
5 have possibly went into Powell Road, Cardington.

6 Q. General Films?

7 A. Yeah. I've been in General Films, but I  
8 think that might have went to the incinerator or  
9 Cardington Road.

10 Q. Do you know what kind of waste they had?

11 A. Plastic, you know, films that weren't  
12 developed, paper, cardboard. Never did see anything  
13 abnormal as far as liquids or powders.

14 Q. Any sludges or anything?

15 A. No.

16 Q. Okay. Stolle?

17 A. Stolle, I pulled that a few times. It  
18 always went to some landfill up there.

19 Q. Shelby?

20 A. Yeah. Except it had a name, Mulligan or  
21 something. Yeah, Mulligan at that time was what we  
22 called Shelby.

23 Q. Hughes-Bechtol?

24 A. Construction company. Yes, I've pulled  
25 some loads for them to different landfills, but none

1 into Valleycrest.

2 Q. Powell possibly?

3 A. Yes, possibly Powell Road.

4 Q. Do you remember specifically?

5 A. No. Huh-um.

6 Q. Okay. California Market?

7 A. I've dumped California Market, but I don't  
8 remember where we were taking that to. I just  
9 remember the smell.

10 Q. Defense Electronics Supply Center?

11 A. DESC?

12 Q. Yes.

13 A. No.

14 Q. Elder-Beerman?

15 A. Yes. Compactor.

16 Q. Into?

17 A. Possibly Cardington Road, maybe the  
18 incinerator.

19 Q. Ever hauled for Earl Scheib?

20 A. Yes. Uh-hum.

21 Q. Okay. Do you remember where you took their  
22 waste?

23 A. Earl Scheib would have probably went to the  
24 incinerator or Cardington Road. There was an Earl  
25 Scheib in Springfield that went into Tremont.



1 Q. What kind of waste did they have?

2 A. Paint filters, you know, tape, lot of  
3 newspaper.

4 Q. Amole?

5 A. Amole sounds familiar, but I don't remember  
6 where it's at.

7 Q. Systems Research Lab?

8 A. Was that in Beavercreek? You don't know,  
9 do you?

10 Q. No, I sure don't.

11 A. Because a lot of these sound -- the names  
12 sound familiar, but --

13 Q. Okay.

14 A. Leland, yes.

15 Q. Leland Electrosystems?

16 A. Uh-hum.

17 Q. Okay. Do you remember what landfill that  
18 would have been?

19 A. We always put that, usually, in the north  
20 incinerator.

21 Q. If the incinerator was down --

22 A. Probably Cardington Road. The only time I  
23 have dumped from Leland was on the -- on that second  
24 route, the first route I actually had by myself. We  
25 would go up there and dump it in the evening due to

1 the fact that everything was in the parking lot.

2 Q. Mazer Corporation?

3 A. Yes, I have pulled Mazer a few times.

4 Q. Where did that go?

5 A. That probably went to Powell Road or the  
6 incinerator.

7 Q. Do you remember what kind of stuff that you  
8 picked up from Mazer?

9 A. No, I don't. Skids.

10 MS. BRIARTON: Someone mentioned  
11 carbon. Does that sound --

12 THE WITNESS: I was trying to  
13 remember. It seemed like there was something about  
14 that that you had --

15 MS. BRIARTON: I don't know if it was  
16 carbon paper or carbon powder.

17 THE WITNESS: Yeah. I remember there  
18 was something, because you could mess up a pair of  
19 gloves, you know, and you had to be real careful about  
20 it. But I don't remember what it was, whether it was  
21 like an ink or -- I don't think it was a powder. It  
22 might have been an ink substance. Like I said,  
23 probably we put some loads into Powell Road off of  
24 that.

25 MS. BRIARTON: What do they do there?

1 Do you know?

2 THE WITNESS: I believe it's some type  
3 of printing. You know, they do some type of printing  
4 work or something like that.

5 MS. BRIARTON: Okay.

6 BY MR. LEININGER:

7 Q. Pantorium Cleaners?

8 A. I have dumped some front loads at Pantorium  
9 on Salem Avenue, but what was in there, I don't know.  
10 It was on the front load, and --

11 Q. Where did you take it to?

12 A. Possibly Cardington Road. When you start  
13 thinking back, it's like, wow, what kind of truck was  
14 we driving.

15 Q. Well, you've been out of the driving for  
16 ten years, so the driver part of your brain has not  
17 been active.

18 A. Covered over with all the other stuff.

19 MS. BRIARTON: Sleepy.

20 BY MR. LEININGER:

21 Q. Yes, that's right. Ask you about sales and  
22 it would probably be boom, boom, boom, right?

23 A. Sure. No problem.

24 Q. Right. University of Dayton?

25 A. UD, I did pull some trash out of there

1 on, now that you mention it, the two nine route.  
2 Because we would go in there, you know, after school  
3 was over.

4 Q. Okay.

5 A. That could have went -- some of that could  
6 have went into Valleycrest.

7 Q. Mostly trash, or was there anything --

8 A. Just trash out of the dorms.

9 Q. Riggs Sheet Metal?

10 A. No. Riggs doesn't sound familiar.

11 Q. Gem City Engineering?

12 A. Dumped some trash at Gem City, regular  
13 front load trash, nothing abnormal.

14 Q. Do you remember what landfill?

15 A. Probably Cardington Road.

16 Q. Okay.

17 A. Probably Powell.

18 Q. Mullins Rubber?

19 A. Mullins, yes. Mullins Rubber, due to the  
20 location, we probably put some of that in Powell Road  
21 or Cardington Road.

22 Q. Okay. Just rubber products? Anything  
23 other than things like scrap rubber? Any sludges or  
24 liquids or powders or anything --

25 A. No.

1 Q. -- that you remember?

2 A. No. Just -- you know, nothing abnormal  
3 like powders or sludges. It was just basically rubber  
4 products and paper and cardboard.

5 Q. American Modular?

6 A. Doesn't sound familiar.

7 Q. L.B. Robinson?

8 A. I probably pulled some loads for L.B.  
9 Robinson, you know, but where they went, could have  
10 been Powell Road or Cardington Road. Doubtful if it  
11 went to the incinerator.

12 Q. Dayton Sure Grip?

13 A. Don't think I ever pulled anything out of  
14 Dayton Sure Grip.

15 Q. Tait Manufacturing?

16 A. Tait sounds familiar, but I don't remember  
17 where it came in there.

18 Q. Dyna Corporation?

19 A. Sounds familiar, but I don't think I did.

20 Q. Roberts Consolidated?

21 A. Can't say for sure.

22 Q. Bendix Corporation?

23 A. Bendix, yes. Pulled some loads out of  
24 there, probably Powell Road, incinerator, and  
25 Cardington Road.

1 Q. Do you remember what kind of --

2 A. No. Just general trash. Nothing as far  
3 as -- you know, dust, dirt, floor sweepings, you would  
4 notice that, but nothing abnormal.

5 Q. Lewis Painting?

6 A. No, I don't think I ever pulled Lewis.

7 Q. St. Elizabeth's Hospital?

8 A. Saint E, pulled that a few times, went to  
9 the south incinerator with it.

10 Q. Anything else?

11 A. No.

12 Q. Rinks Company?

13 A. Rinks sounds familiar, but I don't believe  
14 I ever pulled anything out of Rinks.

15 Q. Atlas Die Casting?

16 A. No, don't remember Atlas Die Casting.

17 Q. Frank Messer Construction Company?

18 A. Probably pulled some loads for Frank  
19 Messer, but it would have went to Powell or  
20 Cardington, you know, one of those landfills.

21 Q. Enterprise Roofing?

22 A. Enterprise Roofing, Cardington Road.

23 Q. K-Mart?

24 A. K-Mart, Fiori Mills.

25 Q. Any dumps? Any landfills that you

1 remember?

2 A. K-Mart had a -- an open top that went to  
3 Cardington Road.

4 Q. Bluebird Pie Company?

5 A. Bluebird Pie? Yeah. That -- pulled that a  
6 few times. Incinerator or Powell Road.

7 Q. Borden Dairy?

8 A. Borden's Dairy, yes, I pulled that before.  
9 Cardington Road or maybe the south incinerator. What  
10 it is, you take these and you talk to them, you have a  
11 general direction --

12 Q. I understand. Well, the more specific that  
13 you can be, the better we like it, but we don't want  
14 you to be specific if you don't feel that your memory  
15 is that specific.

16 A. Yeah.

17 Q. So just, you know, do the best that you  
18 can. Charles Shook?

19 A. Yes, I've hauled some loads for Shook.  
20 Probably went into Cardington or Powell Road.

21 Q. Do you remember what kind of waste it was?

22 A. Just construction debris.

23 Q. Gayston Corporation?

24 A. I've been into Gayston, and I'm pretty sure  
25 I hauled the trash, if it's where I'm thinking it's

1 at, and after a while -- but it was just general  
2 trash. I don't remember anything abnormal.

3 Q. J.C. Penney?

4 A. Yes, I pulled J.C. Penney. I believe we  
5 put it in the incinerator when we did. It was a light  
6 load.

7 Q. Tru-Foto, Inc.?

8 A. No. I don't remember Tru-Foto. The name's  
9 familiar, but I can't place where it's at.

10 Q. Ohio Precision Castings?

11 A. No. I don't remember that.

12 Q. We've got a listing here of some of the  
13 companies that did use Powell. I'd like to see if you  
14 recall hauling for any of these here.

15 A. Okay.

16 Q. Chrysler? Into Powell.

17 A. Into Powell? No.

18 Q. Yes. Chrysler -- let's see. Some of these  
19 we've already talked about. Did you haul for any  
20 cities or counties into any of these landfills?

21 A. No.

22 Q. They were mostly self-hauls, weren't they,  
23 things like that?

24 A. Yes.

25 Q. Protective Treatments, Incorporated?



1 A. No.

2 MS. BRIARTON: PTI?

3 THE WITNESS: It sounds familiar, but I  
4 can't place where it's at or why, you know.

5 BY MR. LEININGER:

6 Q. Goodwill Industries?

7 A. I don't remember ever hauling out of  
8 Goodwill.

9 Q. Okay. And we talked about Cargill.

10 A. (Witness nodding head up and down.)

11 Q. Wright State University?

12 A. No. Don't think so.

13 Q. DAP we talked about.

14 A. DAP, uh-hum.

15 Q. Gilbain?

16 A. No. Doesn't sound familiar.

17 Q. Okay. Dayton Press?

18 A. No.

19 Q. Duraspan?

20 A. No.

21 Q. Moran Paint?

22 A. No.

23 Q. Hobart?

24 A. No.

25 Q. Okay. Plasco Tool?

1 A. No. That doesn't sound familiar.

2 Q. Anchor Fab?

3 A. Anchor Fab sounds familiar, but I don't  
4 know -- I can't recollect where it's at or ever  
5 pulling out of there.

6 Q. 7-Up Bottling?

7 A. No.

8 Q. Pepsi?

9 A. Pulled some loads out of Pepsi.

10 Q. Do you remember anything ever going into  
11 Cardington?

12 A. No.

13 Q. We talked about Duriron, I believe.

14 A. Yes.

15 Q. And Delco and NCR and Frigidaire. How  
16 about Monsanto?

17 A. I don't think I ever pulled anything out of  
18 Monsanto.

19 Q. We talked about Gem City Chemical, I  
20 believe. Mound Labs?

21 A. I hauled some construction out of Mound  
22 Labs for construction companies, but I don't remember  
23 who they were.

24 Q. Carboline Company?

25 A. Doesn't sound familiar.

1 Q. American Lubricants?

2 A. I know where it's at, but I don't think I  
3 ever pulled anything out of there.

4 MR. LEININGER: Okay. Can we go off  
5 the record for just a moment?

6 (Pause in proceedings.)

7 BY MR. LEININGER:

8 Q. Is there anyone else that you can recall  
9 having hauled into either Valleycrest or Powell Road  
10 other than what we have just gone through?

11 A. Not that I can remember, no.

12 MR. LEININGER: Okay. Thank you very  
13 much. That's the end of our statement.

14 (Thereupon, the statement was concluded  
15 at 1:30 o'clock p.m.)

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1 STATE OF OHIO )

2 COUNTY OF MONTGOMERY ) SS: CERTIFICATE

3 I, Caryl L. Blevins, a Notary Public within and  
4 for the State of Ohio, duly commissioned and  
5 qualified,

6 DO HEREBY CERTIFY that the above-named  
7 GARY B. ABNER, was by me first duly sworn to testify  
8 the truth, the whole truth and nothing but the truth;  
9 that said testimony was reduced to writing by me  
10 stenographically in the presence of the witness and  
11 thereafter reduced to typewriting.

12 I FURTHER CERTIFY that I am not a relative or  
13 Attorney of either party nor in any manner interested  
14 in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto set my hand  
16 and seal of office at Dayton, Ohio, on this  
17 16th day of March, 1993.

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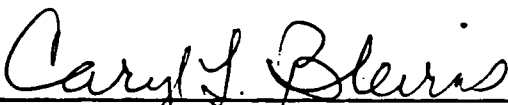
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CARYL L. BLEVINS  
NOTARY PUBLIC, STATE OF OHIO  
My commission expires 7-16-93